

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

1:11-cv-136-RJC

TERRANCE L. JAMES-BEY,

Petitioner,

v.

STATE OF NORTH CAROLINA,
NORTH CAROLINA DEPARTMENT
OF CORRECTIONS, UNITED STATES
CORPORATION,

Respondent.

ORDER

THIS MATTER comes before the Court upon Petitioner Terrance L. James-Bey's ("Plaintiff") Notice of Appeal. (Doc. No. 15). The Court dismissed Petitioner's habeas petition on January 12, 2012 because it plainly appeared that his claim was meritless. (Doc. No. 9).

Rule 11(a) of the Rules Governing Section 2254 Cases requires this Court to issue or deny a certificate of appealability. Having held Petitioner's habeas petition meritless, the Court denies Petitioner a certificate of appealability. See 28 U.S.C. § 2253(c)(2); Miller-El v. Cockrell, 537 U.S. 322, 338 (2003).

IT IS, THEREFORE, ORDERED that Petitioner is **DENIED** a certificate of appealability.

Signed: May 2, 2012



Robert J. Conrad, Jr.
Chief United States District Judge

